

**From:** [LinkedIn](#)  
**To:** Keating, Cochran  
**Subject:** Cindy Miller shared a post: The Florida Public Service Commission issued its final order relating to the transaction of FPL and City of Vero Beach. The order says that a combination of factors support the finding of extraordinary circumstances and for ...  
**Date:** Tuesday, December 11, 2018 8:48:59 AM

**EXTERNAL EMAIL:** This email originated from outside of the Legislature. USE CAUTION when clicking links or opening attachments unless you recognize the sender and know the content is safe.



Cochran Keating



## Cochran, this is what you've missed on LinkedIn



[Cindy Miller](#) **shared a post:** The Florida Public Service Commission issued its final order relating to the transaction of FPL and City of Vero Beach. The order says that a combination of factors support the finding of extraordinary circumstances and for a positive acquisition adjustment. They include that: approximately 60 percent of Vero's electric customers live outside the Vero municipal boundaries; that there have been years of complex litigation between these customers and the city in attempting to transfer the customers to FPL; those customers have tried for years to seek legislative redress; and the City has had two voter referenda that show the majority of Vero customers support a sale to FPL. The Commission found that a positive acquisition adjustment of \$114 million shall be recorded by FPL. <https://lnkd.in/gjrAb7M>

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More updates

[Alton Drew](#) **published a new article**



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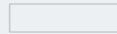
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This email was intended for Cochran Keating (Policy Chief, Energy & Utilities Subcommittee at Florida House of Representatives). [Learn why we included this.](#)



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**From:** Katherine Pennington  
**To:** Keating, Cochran  
**Cc:** Adam Potts  
**Subject:** FW: Hurricane wind standards for Telephone Poles  
**Date:** Thursday, February 15, 2018 5:38:01 PM  
**Attachments:** [image001.jpg](#)

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Links to some of the information Cayce mentioned this morning.

Katherine

Here are the links to the two reports from our website, in case that is easier to transmit than the attachments Mark provided.  
[http://www.floridapsc.com/Files/PDF/Publications/Reports/General/Telecommunication/IL\\_EC\\_Pole\\_Inspection-03-2008.pdf](http://www.floridapsc.com/Files/PDF/Publications/Reports/General/Telecommunication/IL_EC_Pole_Inspection-03-2008.pdf)  
<http://www.floridapsc.com/Files/PDF/Publications/Reports/General/Telecommunication/SpecialConfFinal.pdf>

Here's all I could find (attached):

AT&T PowerPoint the last time they presented at the storm hardening workshops (2012)(no real info on poles)  
FPSC memo summarizing IL EC pole inspection reports for CY 2007

Pole inspection practices report by FPSC staff 2006

CenturyLink report for 2009 (latest report found)

We have no repository for the old reports. They stopped in 2011. I do not know of any current telecom pole standards in FL. The FCC requires nondiscriminatory access to poles. I interpret this to include that telecom pole owners can't require standards for attaching companies that they do not follow themselves. As far as I know, the FCC does not require conforming to NESC standards, although most companies do anyway.

Katherine, by Order No. PSC-06-0168-PAA-TL, issued on March 1, 2006, in Docket No. 060077-TL, the Commission required local exchange telecommunications companies to implement an 8-year wooden pole inspection program and conduct pole attachment loading assessments. That order states the Commission had adopted the National Electric Safety Code for LECs through Rule 25-4.036, Design and Construction of Plant, F.A.C. However, it appears that rule was repealed in 2011, presumably after the Commission's regulatory authority over LECs was removed by the legislature in that year.

The order required LECs to submit a report to the Division of Competitive Markets and Enforcement by March 1 of each year. I don't know the status of those reports since 2011.

Greg or Mark, can you locate the last reports submitted to the Commission?

---

**From:** Katherine Pennington

**Sent:** Wednesday, February 14, 2018 4:34 PM

**To:** Greg Fogelman; Mark Long

**Cc:** Cayce Hinton; Adam Potts; Braulio Baez

**Subject:** FW: Hurricane wind standards for Telephone Poles

Greg – Can you or someone get me some information to respond to Cochran with additional information or a url or report? Feel free to give me a call in the morning.

Thanks

Katherine

Per our conversation, please see Mayor Levy's email, below. I appreciate any information that your folks can provide on construction/maintenance/inspection standards for these telecom-owned poles. Also, if you have any information concerning the extent to which electric facilities are attached to these poles around the state, that may be helpful as well.

Thanks,

Cochran

**From:** Josh Levy [<mailto:JLEVY@hollywoodfl.org>]

**Sent:** Wednesday, February 14, 2018 3:46 PM

**To:** Keating, Cochran <[Cochran.Keating@mystatehouse.gov](mailto:Cochran.Keating@mystatehouse.gov)>

**Subject:** Hurricane wind standards for Telephone Poles

Cochran, thanks for the time by phone today. Pls see below summary and the two attached pictures regarding the hurricane risk posed by unhardened telephone/communication poles. Thanks for helping this issue get to the right committee people. Josh Levy, Mayor of Hollywood, FL







I am writing you regarding a hurricane hardening concern that affects our entire State in hopes that you could discuss this issue as part of your committee work during this legislative session. The issue concerns the need to update State law with regards to setting [minimum wind-load standards for telephone/communication poles](#). I don't believe there are ANY State standards right now, which leaves our State's economy and safety at continued risk.

As you well know, in the 21<sup>st</sup> century our economy has become ever more dependent on communications/internet connectivity as a critical infrastructure for the function of our daily lives. Businesses, government, law enforcement, fire/rescue depts., are all reliant on the ability to run communication/operating systems via the internet. The need to maintain internet connectivity for the function of our state is second only to the need to restore and maintain electrical power after a hurricane.

Given how important internet communication is to our State, I am suggesting to you that the State of Florida should impose certain minimum windstorm standards for telephone poles - at the same standard that utility/power poles are held to. (i.e., Hurricane wind rating standards, and a third party inspection/certification every 7 years or so.)

The utility/power companies that I've spoken with wholeheartedly support the idea that communication/telephone poles should be held to the same standard as they are held for their power poles - especially because very often, power companies have to place/share power utilities on telephone poles.

Telephone companies do not replace/inspect/harden their poles like the power companies do, so our power and communications networks get left with thousands of "weak links" in our power grid, where old wooden poles, that are never replaced, more easily snap in a windstorm - leaving our state at greater hurricane risk and delayed recovery.

Another part of this is that even when the power companies thankfully install a new wood or concrete utility pole to harden the grid, the telephone companies do not find it important enough to move their communication lines onto the new power pole that the power company put in. The Bells prefer to avoid the expense and leave our streets cluttered with two poles (their old one, and the power company's new one) in the same spot. There is nothing in State law to compel the Bells to take action within a certain number of days to move their phone equipment onto the power pole and remove the old wood pole, even though moving their equipment onto the new stronger power pole would benefit the integrity of the State's power/communication system.

See attached pictures, which show a wind damaged AT&T pole next to a hardened FPL pole, and another pic of a leaning/unmaintained AT&T pole two quick examples of the "weak links" that put our State at such risk.

I hope recognize the risks presented by unmaintained telephone company poles as I do, and I hope that you choose to discuss/move with your committee the idea of setting windstorm standards for this critical infrastructure that we in the State of Florida so depend on. Thank you for your time and consideration. I am here to be a voice if I can help in any way.

Respectfully yours,  
**Josh Levy**  
Mayor



**City of Hollywood**  
2000 Hollywood Blvd.  
P.O. Box 229045  
Hollywood FL 33020  
Office (954) 921-3321  
Fax (954) 921-3386  
Email: [jlevy@hollywoodfl.org](mailto:jlevy@hollywoodfl.org)

Notice: Florida has a broad public records law. All correspondence sent to the City of Hollywood via e-mail may be subject to disclosure as a matter of public record.

**From:** [Hamby, Tom](#)  
**To:** [Keating, Cochran](#)  
**Subject:** FW: TECO's Unopposed Motion to Approve Implementation Stipulation  
**Date:** Tuesday, January 30, 2018 5:55:32 PM  
**Attachments:** [Final - Unopposed Motion to Approve Implementation Stipulation.pdf](#)  
[No more Storm cost recovery News Release Jan 2018 \(3\).docx](#)  
[DEF's Motion to Approve Stipulation.pdf](#)

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See the attached and email below.

tom

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**From:** Jon Moyle [mailto:[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)]

**Sent:** Tuesday, January 30, 2018 5:40 PM

**To:** Hamby, Tom

**Subject:** TECO's Unopposed Motion to Approve Implementation Stipulation

Tom: Since I know that you track utility issues for the Speaker, I wanted to share some information with you.

FIPUG and other consumers today entered into an agreement with TECO, namely theTECO/Consumers Agreement to Implement Tax Reform Savings. I have attached that Agreement and Motion for the PSC to accept the agreement and the TECO press release. Last week, a similar agreement was entered into by the consumer interests and Duke Energy. I have also attached that Agreement.

Gulf is contractually obligated to make a filing that takes into account no later than March 1, 2018. Finally, attached is a link to a staff recommendation that addresses a petition filed by OPC, and joined by FIPUG, which asks the Commission to open a generic docket related to federal tax reform relief. The recommendation essentially says that the Commission should assert jurisdiction and that from February 6, 2018, tax savings money should be subject to refund, unless another date is covered by a settlement agreement. Only FPL's agreement is not covered by a settlement agreement (and Florida Public Utility, a small IOU). The recommendation uses 13% of NOI for an estimated swag number for monies that could flow back. FPL's NOI as I understand it for 2016, the last year for which an annual report is apparently available was 1.72 billion and 13% of that is 223 million. However, given the Duke stipulation, paragraph 3, the tax saving value to Duke is \$135 annually, plus \$ 50 more for early depreciation of a coal plant – 185 m per year. TECO's sum is 100m - FPL has to be more than 223 m given the 2016 annual report basis for the 13% calculation and considering that Duke, with significantly less service territory and customers than FPL, is 185m per year. FPL serves approximately ½ of the state.

<http://www.psc.state.fl.us/library/filings/2018/00648-2018/00648-2018.pdf> link to PSC staff

recommendation that will be considered by the Commission next week

Hope that this is useful. If you need to reach me, my cell is 850-217-2783. Jon

**From:** Hamby, Tom  
**To:** Keating, Cochran  
**Subject:** FW: TECO's Unopposed Motion to Approve Implementation Stipulation  
**Date:** Tuesday, January 30, 2018 6:00:12 PM  
**Attachments:** [Final - Unopposed Motion to Approve Implementation Stipulation.pdf](#)  
[No more Storm cost recovery News Release Jan 2018 \(3\).docx](#)  
[DEF's Motion to Approve Stipulation.pdf](#)

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FYI

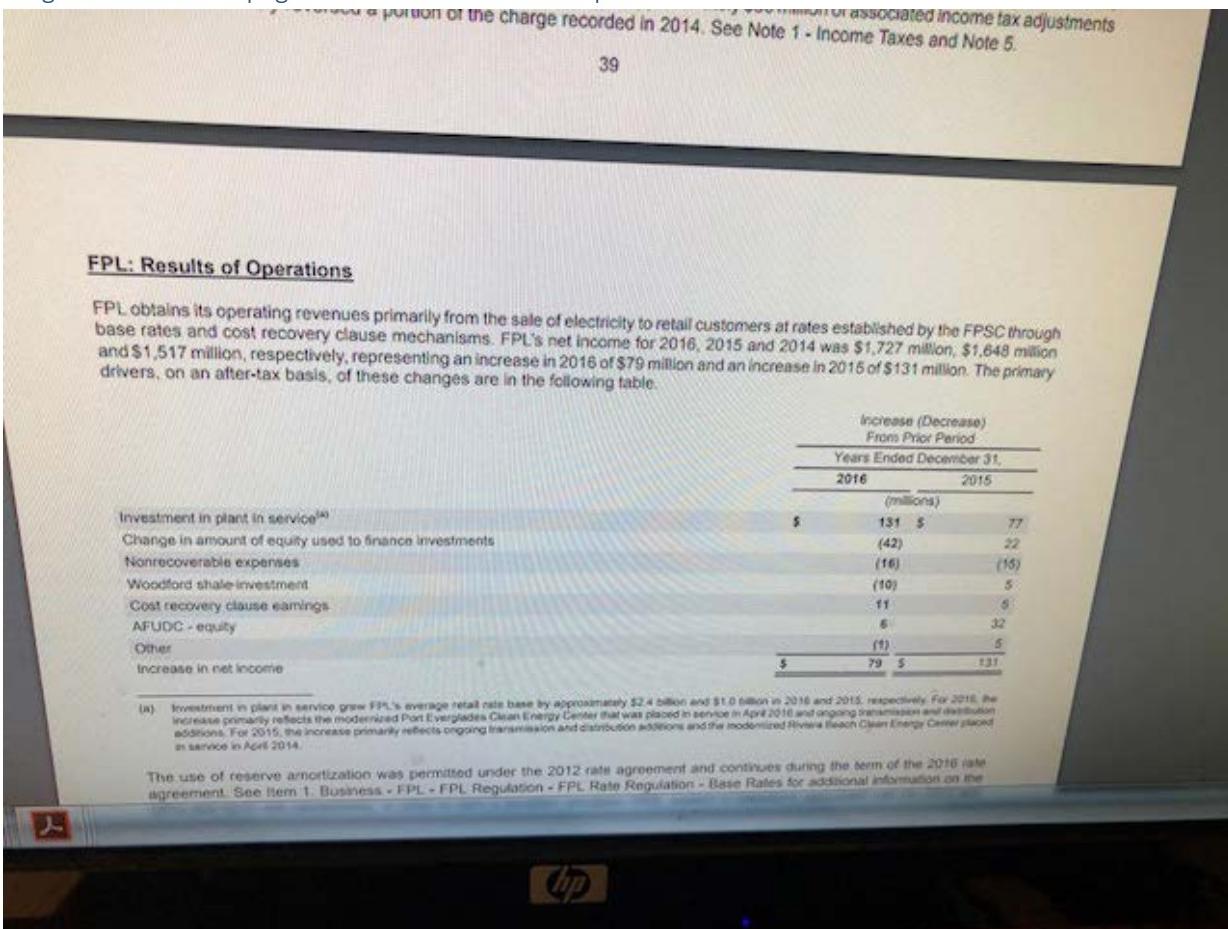
**From:** Jon Moyle [mailto:[jmoyle@moylelaw.com](mailto:jmoyle@moylelaw.com)]

**Sent:** Tuesday, January 30, 2018 5:58 PM

**To:** Hamby, Tom

**Subject:** FW: TECO's Unopposed Motion to Approve Implementation Stipulation

Forgot to attach this page from FPL 2016 annual report.



**From:** Jon Moyle

**Sent:** Tuesday, January 30, 2018 5:39 PM

**To:** 'tom.hamby@myfloridahouse.gov'

**Subject:** TECO's Unopposed Motion to Approve Implementation Stipulation

Tom: Since I know that you track utility issues for the Speaker, I wanted to share some information with you.

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**From:** Katherine Pennington  
**To:** Keating, Cochran  
**Subject:** Fwd: Hurricane wind standards for Telephone Poles  
**Date:** Thursday, February 15, 2018 10:00:21 AM  
**Attachments:** image001.png

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Sent from my iPhone

Begin forwarded message

**From:** Cayce Hinton <[CHINTON@PSC.STATE.FL.US](mailto:CHINTON@PSC.STATE.FL.US)>  
**Date:** February 15, 2018 at 8:14:24 AM EST  
**To:** Katherine Pennington <[KPENNING@PSC.STATE.FL.US](mailto:KPENNING@PSC.STATE.FL.US)>; Greg Fogelman <[GFoglma@PSC.STATE.FL.US](mailto:GFoglma@PSC.STATE.FL.US)>; Mark Long <[MLONG@PSC.STATE.FL.US](mailto:MLONG@PSC.STATE.FL.US)>  
**Cc:** Adam Potts <[apotts@psc.state.fl.us](mailto:apotts@psc.state.fl.us)>; Braulio Baez <[BBaez@PSC.STATE.FL.US](mailto:BBaez@PSC.STATE.FL.US)>; Tom Ballinger <[TBallin@PSC.STATE.FL.US](mailto:TBallin@PSC.STATE.FL.US)>  
**Subject: RE: Hurricane wind standards for Telephone Poles**

Katherine, by Order No. PSC-06-0168-PAA-TL, issued on March 1, 2006, in Docket No. 060077-TL, the Commission required local exchange telecommunications companies to implement an 8-year wooden pole inspection program and conduct pole attachment loading assessments. That order states the Commission had adopted the National Electric Safety Code for LECs through Rule 25-4.036, Design and Construction of Plant, F.A.C. However, it appears that rule was repealed in 2011, presumably after the Commission's regulatory authority over LECs was removed by the legislature in that year.

The order required LECs to submit a report to the Division of Competitive Markets and Enforcement by March 1 of each year. I don't know the status of those reports since 2011.

Greg or Mark, can you locate the last reports submitted to the Commission?

**From:** Katherine Pennington

**Sent:** Wednesday, February 14, 2018 4:34 PM

**To:** Greg Fogelman, Mark Long

**Cc:** Cayce Hinton; Adam Potts; Braulio Baez

**Subject:** FW: Hurricane wind standards for Telephone Poles

Greg... Can you or someone get me some information to respond to Cochran with additional information or a url or report? Feel free to give me a call in the morning.

Thanks,

Katherine

Per our conversation, please see Mayor Levy's email, below. I appreciate any information that your folks can provide on construction/maintenance/inspection standards for these telecom-owned poles. Also, if you have any information concerning the extent to which electric facilities are attached to these poles around the state, that may be helpful as well.

Thanks,

Cochran

**From:** Josh Levy ([jlevy@hollywoodfl.org](mailto:jlevy@hollywoodfl.org))

**Sent:** Wednesday, February 14, 2018 3:46 PM

**To:** Keating, Cochran, Keating <[Cochran.Keating@mym floridahouse.gov](mailto:Cochran.Keating@mym floridahouse.gov)>

**Subject:** Hurricane wind standards for Telephone Poles

Cochran, thanks for the time by phone today. Pls see below summary and the two attached pictures regarding the hurricane risk posed by unhardened telephone/communication poles. Thanks for helping this issue get to the right committee people. Josh Levy, Mayor of Hollywood, FL.

image3.jpeg

1

I am writing you regarding a hurricane hardening concern that affects our entire State in hopes that you could discuss this issue as part of your committee work during this legislative session.

The issue concerns the need to update State law with regards to setting minimum wind-load standards for telephone/communication poles. I don't believe there are ANY State standards right now, which leaves our State's economy and safety at continued risk. As you well know, in the 21<sup>st</sup> century our economy has become ever more dependent on communications/internet connectivity as a critical infrastructure for the function of our daily lives. Businesses, government, law enforcement, fire/rescue depts., are all reliant on the ability to run communication/operating systems via the internet. The need to maintain internet connectivity for the function of our state is second only to the need to restore and maintain electrical power after a hurricane. Given how important internet communication is to our State, I am suggesting to you that the State of Florida should impose certain minimum windstorm standards for telephone poles - at the same standard that utility/power poles are held to. (i.e., Hurricane wind rating standards, and a third party inspection/certification every 7 years or so.)

The utility/power companies that I've spoken with wholeheartedly support the idea that communication/telephone poles should be held to the same standard as they are held for their power poles - especially because very often, power companies have to place/share power utilities on telephone poles. Telephone companies do not replace/inspect/harden their poles like the power companies do, so our power and communications networks get left with thousands of "weak links" in our power grid, where old wooden poles, that are never replaced, more easily snap in a windstorm - leaving our state at greater hurricane risk and delayed recovery.

Another part of this is that even when the power companies thankfully install a new wood or concrete utility pole to harden the grid, the telephone companies do not find it important enough to move their communication lines onto the new power pole that the power company put in. The Bells prefer to avoid the expense and leave our streets cluttered with two poles (their old one, and the power company's new one) in the same spot. There is nothing in State law to compel the Bells to take action within a certain number of days to move their phone equipment onto the power pole and remove the old wood pole, even though moving their equipment onto the new stronger power pole would benefit the integrity of the State's power/communication system.

See attached pictures, which show a wind damaged AT&T pole next to a hardened FPL pole, and another pic of a leaning/unmaintained AT&T pole two quick examples of the "weak links" that put our State at such risk.

I hope recognize the risks presented by unmaintained telephone company poles as I do, and I hope that you choose to discuss/move with your committee the idea of setting windstorm standards for this critical infrastructure that we in the State of Florida so depend on. Thank you for your time and consideration. I am here to be a voice if I can help in any way.

Respectfully yours,  
**Josh Levy**  
Mayor



**City of Hollywood**  
2600 Hollywood Blvd.  
P.O. Box 229045  
Hollywood FL 33020  
Office (954) 921-3321  
Fax (954) 921-3386  
Email [jlevy@hollywoodfl.org](mailto:jlevy@hollywoodfl.org)

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**From:** [Hamby, Tom](#)  
**To:** [Hamon, Kurt](#); [Keating, Cochran](#)  
**Subject:** Fwd: Prioritization of Power Restoration  
**Date:** Monday, February 12, 2018 4:13:19 PM

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Kurt and Cochran

Please assist Fred with the following reporter question. [REDACTED] suggest answering that while the bill does not address what appears to be the reckless behavior of the nursing home and there is no guarantee it would have prevented the situation, the language would have ensured that every county provided the utilities serving their residents with priorities as part of their emergency management plans and would have directed the utilities to .... language from the bill.

Sent from my iPhone

Begin forwarded message:

**From:** "Piccolo, Fred" <[Fred.Piccolo@myfloridahouse.gov](mailto:Fred.Piccolo@myfloridahouse.gov)>  
**Date:** February 12, 2018 at 4:06:58 PM EST  
**To:** "Hamby, Tom" <[Tom.Hamby@myfloridahouse.gov](mailto:Tom.Hamby@myfloridahouse.gov)>  
**Subject: FW: Prioritization of Power Restoration**

HELP!!

**From:** O'Matz, Megan [<mailto:momatz@sunsentinel.com>]  
**Sent:** Monday, February 12, 2018 3:52 PM  
**To:** Piccolo, Fred <[Fred.Piccolo@myfloridahouse.gov](mailto:Fred.Piccolo@myfloridahouse.gov)>  
**Subject:** RE: Prioritization of Power Restoration

Hi Fred

How would this bill have helped the Hollywood nursing home?

Counties already can identify priority facilities, such as health care facilities, which Broward did with FPL and nursing homes were not a priority.

And the section of the bill about identifying medically necessary or medically dependent customers seems to apply to residential accounts. Would a nursing home qualify under that section?

If this bill is passed how would it prevent a situation from occurring again like the Hollywood nursing home deaths?

Thank you for your help,

**Megan O'Matz**

Reporter

[SunSentinel.com](http://SunSentinel.com)

(954) 356-4518

[momatz@sun-sentinel.com](mailto:momatz@sun-sentinel.com)

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**From:** Piccolo, Fred [<mailto:Fred.Piccolo@myfloridahouse.gov>]

**Sent:** Saturday, February 10, 2018 8:10 PM

**To:** O'Matz, Megan

**Subject:** Prioritization of Power Restoration

Megan

We saw your story on FPL. Wanted you to know that The House Commerce

Committee passed language addressing prioritization of power restoration last week, CS/CS/HB 1081. A copy of the bill is attached. The Senate companion, SB 1630, by Senator Hutson, has not been heard. I searched and could not find any other Senate bill that addresses the issue that has been heard by a committee.

Thought you'd like to know that.

Have a great night

Fred

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Fred Piccolo

Communications Director

Office of the Florida Speaker of the House

202-560-0933 cell

@FredPiccoloJr

*For access to all forms of specialized House media, visit [Floridahousemedia.gov](http://Floridahousemedia.gov)*

From: [Josh\\_Levy](#)  
To: [Keating\\_Cochran](#)  
Subject: Hurricane wind standards for Telephone Poles  
Date: Wednesday, February 14, 2018 3:46:05 PM  
Attachments: [image001.png](#)

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**Josh Levy**  
Mayor



**City of Hollywood**  
2000 Hollywood Blvd.  
P.O. Box 229045  
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Office (954) 921-3321  
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Email: [jlevy@hollywoodfl.org](mailto:jlevy@hollywoodfl.org)

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